### JC03 Rec'd PCT/PTO 1 9 MAY 2005

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Approved for use th rough 3/31/2007. OMB 0651-0021
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# TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY DOCKET NO. TOMI 200008

CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED PCT/JP2003/016134 16 December 2003 (16.12.03) 17 December 2002 (17.12.02 TITLE OF INVENTION OPTICAL ELEMENT FIXING STRUCTURE, OPTICAL ELEMENT FIXING BODY, OPTICAL ELEMENT, AND OPTICAL ELEMENT HOLDER APPLICANT(S) FOR DO/EO/US NODA, Akio et al. Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: 1. This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. The US has been elected (Article 31). A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is attached hereto (required only if not communicated by the International Bureau). has been communicated by the International Bureau. is not required, as the application was filed in the United States Receiving Office (RO/US). 6. **U** An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). is attached hereto. has been previously submitted under 35 U.S.C. 154(d)(4). 7. U Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) are attached hereto (required only if not communicated by the International Bureau). have been communicated by the International Bureau. have not been made; however, the time limit for making such amendments has NOT expired. have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 8. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). An English language translation of the annexes of the International Preliminary Examination Report under PCT 10. Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98, PTO Form 1449 and References (if required). 12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. A preliminary amendment. An Application Data Sheet under 37 CFR 1.76. A substitute specification. 16 A power of attorney and/or change of address letter. 17. L A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. 18. A second copy of the published International Application under 35 U.S.C. 154(d)(4). A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). Other items or information: International Search Report 20.

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Page 1 of 2

## JC14 Rec'd PCT/PTO 19 MAY 2005

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) INTERNATIONAL APPLICATION NO. PCT/JP2003/016134				ATTORNEY DOCKET NO. TOMI 200008		
The following fees have been submitted					CALCULATIONS	PTO USE ONLY
21. Basic national fee\$300					\$ 300.00	
22.  Examination fee  If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)					\$ 200.00	,
23. Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an international Searching Authority					\$ 500.00	
TOTAL OF 21, 22 and 23 =					\$ 1,000.00	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium).  The fee is \$250 for each additional 50 sheets of paper or fraction thereof.						
Total Sheets	Total Sheets Extra Sheets		Number of each additional 50 or fraction thereof (round up to a whole number)			
- 100 =	/50 =			× \$250	\$ 00.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).					\$	
CLAIMS	NUME	BER FILED	NUMBER EXTRA	RATE	\$	
Total claims	20	- 20 =	0	x \$ 50	\$ 00.00	
Independent clair	ns 1	- 3 =	0	× \$200	\$ 00.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360					\$ 00.00	
TOTAL OF ABOVE CALCULATIONS =					\$ 1,000.00	
Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.						
SUBTOTAL =					\$ 1,000.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).					\$	
TOTAL NATIONAL FEE =					\$ 1,000.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +					\$	
TOTAL FEES ENCLOSED =					\$ 1,000.00	
					Amount to be refunded:	\$
					Amount to be charged:	\$
a. A check in the amount of \$ 1,000.00 to cover the above fees is enclosed.						
b. Please charge my Deposit Account No in the amount of \$ to cover the above fees.  A duplicate copy of this sheet is enclosed.						
c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0308. A duplicate copy of this sheet is enclosed.						
d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.						
SEND ALL CORRESPONDENCE TO:					DMining	<b>1</b> ,
RICHARD J. MINNICH SIGNATURE					// mn ic	<del></del>
Fay, Sharpe, Fagan, Minnich & McKee, LLP Richard J. Mir					nnich	
1100 Superior Avenue, 7th Floor NAME						· · · · · · · · · · · · · · · · · · ·
Cleveland, OH 44114 24,175						
REGISTRATIO					ON NUMBER	

PATENT

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

NODA et al.

**FOR** 

**OPTICAL ELEMENT FIXING** 

STRUCTURE. OPTICAL ELEMENT FIXING BODY, OPTICAL ELEMENT, AND OPTICAL ELEMENT HOLDER

SERIAL NO.

To be assigned

**FILED** 

Herewith

ATTORNEY DOCKET NO.

**TOMI 200008** 

#### **CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10**

"Express Mail" Mailing Label Number:

Date of Deposit:

EV 494996733 US

MAY 19, 2005

I hereby certify that the attached TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 and accompanying documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: MAIL STOP PCT, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated above.